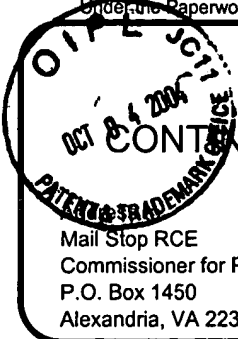


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# REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Application Number	09/928,227
Filing Date	08/09/2001
First Named Inventor	Michael J. Mahan
Art Unit	1645
Examiner Name	Glinny Portner
Attorney Docket Number	482.10

**This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.**

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO ) on page 2.

- Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).
  - ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
    - ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
    - ☐ Other \_\_\_\_\_
  - ☒ Enclosed
    - ☒ Amendment/Reply
    - ☐ Affidavit(s)/Declaration(s)
    - ☐ Information Disclosure Statement (IDS)
    - ☐ Other \_\_\_\_\_
- Miscellaneous**
  - ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
  - ☐ Other \_\_\_\_\_
- Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.
  - ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 16-1331
    - ☒ RCE fee required under 37 CFR 1.17(e)
    - ☐ Extension of time fee (37 CFR 1.136 and 1.17)
    - ☐ Other \_\_\_\_\_
  - ☒ Check in the amount of \$ 385.00 enclosed
  - ☐ Payment by credit card (Form PTO-2038 enclosed)

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print / Type)	David J. Aston	Registration No. (Attorney / Agent)	28,051
Signature	<i>David J. Aston</i>	Date	September 30, 2004

## CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print / Type)	Joan I. Abriam	Date	September 30, 2004
Signature	<i>Joan I. Abriam</i>		

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing the burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Peters Verny Jones & Schmitt Docket No. 482.10  
Customer No. 23308

Ser. No. 09/928,227



**THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Inventor	: Michael J. Mahan, et al.	Art Unit.	: 1645
Serial	: 09/928,227	Examiner	: Ginny Portner
Number			
Filed	: 08/09/2001		:
Title	: Method for Reducing Bacterial Proliferation		:
Confirmation		Customer	
Number	: 7979	Number	: 23308

**CERTIFICATE OF MAILING or FACSIMILE TRANSMISSION UNDER 37 C.F.R. § 1.8(a)(1)**  
I hereby certify that this correspondence (along with any referred to as being attached or enclosed) is, on the date shown below, being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria Virginia, 22323-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Dated: 9/30/04

By: Joan I. Abriam

Printed Name: Joan I. Abriam

**AMENDMENT AND RCE IN RESPONSE TO FINAL OFFICE  
ACTION MAILED 06/02/2004**

Mail Stop RCE  
Honorable Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Final Office Action of June 2, 2004, please amend the above-identified application as set forth below, in accordance with revised amendment practice, 37 CFR 1.121, effective July 30, 2003. A complete listing of all claims, replacing all prior claims in the application, and including the text of all non-cancelled claims, is attached.

This Amendment and Response is accompanied by a Transmittal Form, a Fee Transmittal Form, a Petition for Extension of Time under 37 CFR 1.136(a), a Request For Continued Examination Transmittal, a check for \$440.00 and a postcard. A one month Extension of Time from 09/02/2004 to 10/02/2004 is requested.

**Amendments to the Specification** begin on page 3 of this paper.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 4 of this paper.

**Remarks/Arguments** begin on page 9 of this paper.